

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY (CAMDEN)**

IN RE: Roman Osadchuk,	:	Bankruptcy No 15-30225-JNP
Debtor	:	Chapter: 7
	:	
Roman Osadchuk,	:	
Appellant	:	BAP No: 16-04390-NLH
V.	:	
Vasyl Kavatsiuk,	:	
Thomas Subranni, Trustee,	:	
Appellees	:	

**STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL**

Mohammed I. Shariff, Esquire, pursuant to Federal Rule of Bankruptcy Procedure 8009(a), hereby states the issues to be presented on appeal:

- 1) Court erred by granting Trustee Motion to Approve Compromise.
- 2) Court abused discretion in granting Trustee Motion to Approve Compromise.
- 3) Court grant of motion was based on insufficient record, testimony and evidence.
- 4) Court grant of motion to Approve Compromise was against the weight of the evidence before the court.
- 5) Court abused its discretion in not applying relevant factors for approving a compromise pursuant to Rule 9019.
- 6) Court lacked jurisdiction to grant motion to approve settlement where Trustee lacked jurisdiction over the claim.
- 7) Court erred in granting compromise of claim that was not part of Chapter 7 estate.
- 8) Court erred in finding limited liability shares were subject to Trustee compromise where shares were exempted by debtor and no objection filed by Trustee.

- 9) Court erred in finding Trustee had authority to act on behalf of debtor's LLC membership interest where state law does not provide for managerial control over transferred member interests.
- 10) Court erred in finding member interests existed under state law where record was devoid of any proof that LLC membership interests were issued.
- 11) Court violated due process rights of Roman P Osadchuk LLC by granting order transferring membership interests to another party without notice and a hearing.
- 12) Court violated due process rights of Roman P Osadchuk LLC by permitting Trustee to compromise claims related to its membership interests.
- 13) Court erred as a matter of law by compromising claim for inadequate amount.
- 14) Court erred by granting motion to compromise without joining indispensable party – Roman P Osadchuk LLC.
- 15) Debtor reserves right to assert arguments preserved in the record on appeal.

Respectfully submitted,

/s/ Mohammed I. Shariff  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on August 2, 2016, a true and accurate copy of the foregoing Statement of Issues to be Presented on Appeal was served by means of the Court's CM/ECF system or via first-class mail, postage prepaid, upon the following:

**Honorable Judge Jerrold N. Poslusny, Jr.**  
**U.S. Bankruptcy Court of New Jersey**  
**U.S. Post Office and Courthouse**  
**401 Market Street**  
**Camden, NJ 08101**

**Scott M. Zauber**  
**Subranni Ostrove & Zauber**  
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**Counsel for Appellee Vasyl Kavatsiuk**

/s/ Mohammed I. Shariff

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